

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**MPC TRANSPORTATION, LLC
a/k/a ML ENERGY**

and

Case 15-CA-193716

RODNEY R. HILL

ORDER¹

The Employer's petition to revoke subpoena duces tecum B-1-WU2R6T is denied. The subpoena seeks information relevant to the matters under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena.² See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., September 13, 2017

PHILIP A. MISCIMARRA,	CHAIRMAN
MARK GASTON PEARCE,	MEMBER
LAUREN McFERRAN,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² Chairman Miscimarra would grant the petition to revoke as to paragraph 5 (requesting "[t]he Employer's employee handbook or guide applicable to Rodney Hill and the employees at the Employer's facility on the date Hill was discharged by the Employer in January 2017, including what may be known as the ML Energy Driver's Manual and/or what was formerly known as the Delek Transportation, LLC Driver's Manual") except for those handbook provisions that reasonably relate to the charge allegation regarding unlawful discharge. See *Inventure Foods, Inc.*, Case 25-CA-180283 (Jan. 25, 2017).